

TERMINAL DISCLAIMER

U.S. Application Serial No.: 10/044,923

Attorney Docket No. 042846-0313083

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

IN RE PATENT APPLICATION OF: Andrew Lewis SCHIRMER, *et al.*
FILING DATE: January 15, 2002
ART UNIT: 3629
EXAMINER: TRACI L. SMITH
FOR: SYSTEM AND METHOD FOR PUBLISHING A PERSON'S AFFINITIES

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Commissioner for Patents
P.O. Box 1450
Alexandria, VA. 22313-1450

Dear Sir:

The undersigned, on behalf of the Petitioner, **International Business Machines Corporation**, represents that the Petitioner, **International Business Machines Corporation** is the owner of the entire right, title and interest of:

(1) U.S. Application Serial No. 10/044,914, filed on January 15, 2002 for "SYSTEM AND METHOD FOR IMPLEMENTING A METRICS ENGINE FOR TRACKING RELATIONSHIPS OVER TIME," by virtue of an Assignment to **International Business Machines Corporation** from the inventors thereof executed on 2/14/2002 (by inventors Goodwin and Schirmer), on 3/20/2002 (by inventor Kraenzel), and on 3/21/2002 (by inventor Newbold), and recorded on March 27, 2002, at Reel 012730, Frame 0702; and

(2) the above-captioned U.S. Application No. 10/044,923 by virtue of an Assignment to **International Business Machines Corporation** from the inventors

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thereof executed on 2/14/2002 (by inventor Schirmer), on 2/21/02 (by inventor Regnante), and on 3/21/2002 (by inventor Newbold), and recorded on March 27, 2002, at Reel 012730, Frame 0695.

Petitioner hereby certifies that the above-mentioned Assignments have been reviewed and to the best of Petitioner's knowledge and belief, title is in Petitioner who is seeking to take this action.

Petitioner hereby disclaims, except as provided below, the terminal part of the statutory term of any patent granted on the above-captioned U.S. Application No. 10/044,923 which would extend beyond the expiration date of the full statutory term as presently shortened by any terminal disclaimer of U.S. Application No. 10/044,914, and hereby agrees that any patent so granted on the above-captioned U.S. Application No. 10/044,923 shall be enforceable only for and during such period that the legal title to U.S. Application No. 10/044,923 shall be the same as the legal title to said patent issuing from the above-captioned U.S. Application No. 10/044,914, this agreement to run with any patent granted on U.S. Application No. 10/044,914 and to be binding upon the grantee, its successors or assigns.

Petitioner does not disclaim any terminal part of any patent granted on the above-captioned U.S. Application No. 10/044,914 prior to the expiration date of the full statutory term as presently shortened by any terminal disclaimer of U.S. Application No. 10/044,923 in the event a patent issuing from U.S. Application No. 10/044,914 B1 later: expires for failure to pay a maintenance fee, is held unenforceable, is found invalid by a court of competent jurisdiction, is statutorily

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disclaimed in whole or terminally disclaimed under 37 C.F.R. §1.321(a), has all claims canceled by a Reexamination certificate, or is otherwise terminated prior to the expiration of its full statutory term as presently shortened by any terminal disclaimer, except for the separation of legal title state above.


The undersigned whose signature and title appear below is empowered to act on behalf of Petitioner.

The Director is authorized to charge the \$130.00 fee for the filing of this Terminal Disclaimer, as well as any additional fees that may be due, or credit any overpayment of same, to Deposit Account No. 033975 (Ref. No. 042846-0313083).

Date: January 4, 2007

Respectfully submitted,

By:



D. Benjamin Esplin
Registration No. 58,297

Customer No. 00909

PILLSBURY WINTHROP SHAW PITTMAN LLP
P.O. Box 10500
McLean, Virginia 22102
Main: 619-234-5000